IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA	
RICHARD G. TATUM, individually and on behalf of a class of all other persons similarly situated,)))
Plaintiff,) Civil Action No. 1:02 CV 00373
v. R.J. REYNOLDS TOBACCO COMPANY, et al. Defendants.))) SUGGESTION OF SUBSEQUENTLY) DECIDED AUTHORITY))

Plaintiff, pursuant to LR 7.3(i), and in support of his Motion for Summary

Judgment and Opposition to Defendants' Motion for Summary Judgment, hereby submits
the following subsequently decided authority, a copy of which is attached as Exhibit A:

Bunch v. W.R. Grace & Co., No. 08-1406, slip op. at *7-8, 10-19 (1st Cir. Jan. 29, 2009).

The case is relevant to the Memorandum of Points and Authorities in Support of

Plaintiff's Motion for Summary Judgment (Dkt #204) at 14-16, 19-21, 24; Plaintiff's

Opposition to Defendants' Motion for Summary Judgment (Dkt #225) at 16-24, 34-35;

and the Reply in Support of Plaintiff's Motion for Summary Judgment (Dkt #240) at 8
10, 15, 16 n.25.

Dated: February 3, 2009 Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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